

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID CARTER,

Plaintiff,

-against-

NEW YORK STATE; C.O. MORGES,  
DOWNSTATE CORRECTIONAL FACILITY;  
C.O. MELENDEZ, DOWNSTATE  
CORRECTIONAL FACILITY,

Defendants.

20-CV-5955 (CM)

CIVIL JUDGMENT

Pursuant to the order issued August 12, 2020, dismissing the complaint,

IT IS ORDERED, ADJUDGED, AND DECREED that the complaint is dismissed without prejudice under the Prison Litigation Reform Act's "three-strikes" rule. *See* 28 U.S.C. § 1915(g). Plaintiff continues to be barred from filing any civil action under the *in forma pauperis* (IFP) statute while a prisoner unless Plaintiff is under imminent danger of serious physical injury. *See* 28 U.S.C. § 1915(g).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the Court's judgment would not be taken in good faith.

IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this judgment to Plaintiff and note service on the docket.

SO ORDERED.

Dated: August 12, 2020  
New York, New York



COLLEEN McMAHON  
Chief United States District Judge